

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 632  
Title 14, California Code of Regulations  
Re: Marine Protected Areas

- I. Date of Initial Statement of Reasons: March 22, 2005  
Date of Amended Initial Statement of Reasons: June 9, 2005
- II. Date of Pre-adoption Statement of Reasons: June 27, 2005
- III. Date of Final Statement of Reasons: August 22, 2005
- IV. Dates and Locations of Scheduled Hearings:
- (a) Notice Hearing: Date: May 5, 2005  
Location: Sacramento, CA
- (b) Adoption Hearing: Date: August 19, 2005  
Location: San Luis Obispo, CA
- V. Update:
- No modifications were have made to the originally proposed regulatory language of the Amended Initial Statement of Reasons.
- The proposed changes were adopted by the Commission on August 19, 2005.
- VI. Summary of Primary Considerations Raised in Opposition and in Support:
- (1) Letter from Mr. Russell E. Galipeau Jr., Channel Islands National Park, July 8, 2005. The National Park Service supports the proposed regulation changes for Anacapa and San Miguel Islands.
- Response: Support for proposed changes is noted.
- VII. Location and Index of Rulemaking File:
- A rulemaking file with attached file index is maintained at:
- California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814
- VIII. Location of Department files:

Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified.

(b) No Change Alternative:

The no change alternative would leave existing regulations for these MPAs in place. The historical use of these six areas by commercial spiny lobster fishermen would cease and the special closure area regulations will continue to cause confusion for the general public with the regulations for adjacent marine protected areas.

(c) Consideration of Alternatives:

In view of the information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the proposed regulation.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed action serves to clarify and sanction historical commercial and recreational areas and practices to abate economic impacts and financial hardship to individuals and businesses.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

### Updated Informative Digest (Policy Statement Overview)

State law (Section 1590, Fish and Game Code) authorizes the Commission to designate, delete, or modify state marine managed areas (MMAs). Authorization is also provided in subsection 36725(a), Public Resources Code. In addition, in subsection 36725(e), Public Resources Code, the Commission may regulate commercial and recreational fishing and any other taking of marine species in MMAs.

The existing regulation of Section 632, Title 14, California Code of Regulations (CCR), defines State Marine Parks and State Marine Conservation Areas and provides information on authorized uses within those areas. The classification of those areas is in accordance with the Marine Managed Areas Improvement Act (MMAIA) commencing with Section 36600, Public Resources Code.

Nine areas originally designated by the Legislature as marine life refuges were reclassified in 2004 as State Marine Parks under the authority of the MMAIA. Six of these areas were historically productive for the commercial spiny lobster fishery and lobster take has been allowed in these areas notwithstanding their establishment as marine life refuges. The fishery does not otherwise compromise the resource values of these areas. The six areas are: Robert E. Badham State Marine Park, Irvine Coast State Marine Park, Laguna Beach State Marine Park, South Laguna Beach State Marine Park, Niguel State Marine Park, and Doheny State Marine Park. With the designation of these six areas as State Marine Parks, there is now a discrepancy between what has been a long-standing use in those areas and the type of use provided for under the state marine park designation as defined in the MMAIA. The proposed regulation change would re-designate the status of these six areas to State Marine Conservation Areas to allow access for the commercial lobster industry.

State law (sections 8254 and 8259, Fish and Game Code) authorizes the Commission to set conditions for the commercial lobster fishery. The proposed regulatory change will not change any conditions for that fishery or affect the status of the spiny lobster stocks.

In addition, Doheny State Marine Park's name is proposed to change to Doheny Beach State Marine Conservation Area to differentiate it from the existing Doheny State Marine Conservation Area.

The special closure regulations for San Miguel and Anacapa Islands are currently listed in subsections 632(b)(43)(B) and 632(b)(51)(B), respectively. These regulations are proposed to be moved into separate subsections, 632(b)(43) and 632(b)(52), to be consistent with the marine protected area regulations for those islands. These proposed changes will clarify the regulations and help increase public understanding and compliance.

The landing permit reference in subsection 632(b)(43)(B) will be removed as it is no longer required by the National Park Service. The sea urchin permit reference in subsection 632(b)(43)(B)1.b. will be removed as sea urchin permits are not site specific. Also the coordinates for Judith and Castle Rocks are proposed to be added and all of the subsections after 632(b)(43) will be renumbered.

**The proposed changes were adopted by the Commission on August 19, 2005.**

## Regulatory Language

Section 632, Title 14, CCR is amended to read:

### **§632. Marine Protected Areas and Special Closures.**

The areas specified in this section have been declared by the commission to be marine protected areas or special closures. Public use of marine protected areas or special closures shall be compatible with the primary purposes of such areas, and subject to the following applicable general rules and regulations, except as otherwise provided for in subsection 632(b), areas and special regulations for use. Nothing in this section expressly or implicitly precludes, restricts or requires modification of current or future uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents.

(a) General Rules and Regulations:

(1) Protection of Resources.

(A) State Marine Reserves: In a state marine reserve, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a permit or specific authorization from the commission for research, restoration, or monitoring purposes.

(B) State Marine Parks: In a state marine park, it is unlawful to injure, damage, take, or possess any living or nonliving marine resource for commercial exploitation purposes. Any human use that would compromise protection of the species of interest, natural community or habitat, or geological, cultural, or recreational features, may be restricted by the commission as specified in subsection 632(b), areas and special regulations for use. The commission may permit research, monitoring, and educational activities and certain recreational harvest in a manner consistent with protecting resource values.

(C) State Marine Conservation Areas: In a state marine conservation area, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes except as specified in subsection 632(b), areas and special regulations for use. The commission may permit research, education, and recreational activities, and certain commercial and recreational harvest of marine resources, provided that these uses do not compromise protection of the species of interest, natural community, habitat, or geological features.

(2) Pelagic Finfish. Pelagic finfish, for the purpose of this section, are defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena spp.*), billfishes\* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus spp.*), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias spp.*), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*). \*Marlin is not allowed for commercial take.

(3) Access. Access into marine protected areas for non-consumptive uses including but not limited to swimming, surfing, diving, boating, hiking and walking is allowed unless otherwise specified in subsection 632(b), areas and special regulations for use.

(4) Ejection. Employees of the department may eject any person from a marine protected area for violation of any of these rules or regulations or for any reason when it appears that the general safety or welfare of the marine protected area, its associated flora and fauna, or persons thereon is endangered.

(5) Introduction of Species. Unless authorized by the commission, the release of any fish or wildlife species, including domestic or domesticated species, or the introduction of any plant species, is prohibited. The department may reintroduce endemic species to marine protected areas for management purposes.

(6) Feeding of Wildlife. The feeding of wildlife is prohibited.

(7) Anchoring. Vessels shall be allowed to anchor in any marine protected area with catch onboard unless otherwise specified in subsection 632(b), areas and special regulations for use. Fishing gear shall be stowed and not in use while anchored in a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall be stowed and not in use while anchored in a state marine park or state marine conservation area. Anchoring regulations shall be consistent with federal law and allowances made for anchoring required by emergency or severe weather.

(8) Transit. Vessels shall be allowed to transit through marine protected areas with catch onboard. Fishing gear shall be stowed and not in use while transiting through a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall be stowed and not in use while transiting through a state marine park or state marine conservation area.

(b) Areas and Special Regulations for Use. All geographic coordinates listed use the North American Datum 1983 (NAD83) reference datum:

(1) Punta Gorda State Marine Reserve. This area is bounded by the three-fathom inshore depth contour, the 30-fathom depth contour and the following points:

40° 16.43' N. lat. 124° 22.00' W. long.;

40° 16.43' N. lat. 124° 23.50' W. long.;

40° 14.83' N. lat. 124° 23.18' W. long.; and

40° 15.23' N. lat. 124° 21.62' W. long.

(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Punta Gorda State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Punta Gorda State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the

Punta Gorda State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(D) Public Entry. Public entry into the Punta Gorda State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Punta Gorda State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

(F) Litter. No person shall deposit, drop, or scatter any debris on the Punta Gorda State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.

(G) Aircraft. No person shall operate any aircraft or hovercraft within the Punta Gorda State Marine Reserve, except as authorized pursuant to scientific research approved by the department.

(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Punta Gorda State Marine Reserve unless authorized by the department.

(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations to conduct marine-related research within the Punta Gorda State Marine Reserve.

(J) Scientific research conducted within the Punta Gorda State Marine Reserve shall not interfere with access by land to coastal trails along the shoreline adjacent to the reserve.

(2) MacKerricher State Marine Conservation Area. This area is bounded by the mean high tide line, the 3-fathom depth contour and the following points:

39° 29.81' N. lat. 123° 47.50' W. long.;

39° 29.95' N. lat. 123° 47.80' W. long.;

39° 27.62' N. lat. 123° 48.80' W. long.; and

39° 27.55' N. lat. 123° 48.52' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, squid, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick

up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(3) Point Cabrillo State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and the following points:

39° 21.24' N. lat. 123° 49.25' W. long.;

39° 21.33' N. lat. 123° 49.64' W. long.;

39° 20.66' N. lat. 123° 49.68' W. long.; and

39° 20.57' N. lat. 123° 49.27' W. long.

(A) Take of all living marine resources is prohibited except the commercial take of finfish and marine aquatic plants.

(4) Russian Gulch State Marine Conservation Area. This area is bounded by the mean high tide line, the 3-fathom depth contour and the following points:

39° 19.86' N. lat. 123° 48.84' W. long.;

39° 19.85' N. lat. 123° 48.89' W. long.;

39° 19.52' N. lat. 123° 48.46' W. long.; and

39° 19.52' N. lat. 123° 48.23' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(5) Van Damme State Marine Conservation Area. This area is bounded by the mean high tide line, the 3-fathom depth contour and the following points:

39° 16.45' N. lat. 123° 47.60' W. long.;

39° 16.355' N. lat. 123° 47.60' W. long.;

39° 16.27' N. lat. 123° 47.545' W. long.; and

39° 16.27' N. lat. 123° 47.43' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(6) Manchester and Arena Rock State Marine Conservation Area. This area is bounded by the mean high tide line and the following points:



39° 00.30' N. lat. 123° 41.90' W. long.;  
39° 00.30' N. lat. 123° 44.40' W. long.;  
38° 58.30' N. lat. 123° 45.60' W. long.; and  
38° 57.50' N. lat. 123° 43.70' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(7) Del Mar Landing State Marine Park. This area is bounded by the mean high tide line and the following points:

38° 44.44' N. lat. 123° 30.81' W. long.;  
38° 44.32' N. lat. 123° 30.95' W. long.;  
38° 44.25' N. lat. 123° 30.64' W. long.;  
38° 44.28' N. lat. 123° 30.49' W. long.; and  
38° 44.40' N. lat. 123° 30.37' W. long.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear.

(8) Salt Point State Marine Conservation Area. This area is bounded by the mean high tide line and the following points:

38° 35.18' N. lat. 123° 20.49' W. long.;  
38° 34.40' N. lat. 123° 21.35' W. long.;  
38° 33.05' N. lat. 123° 19.58' W. long.; and  
38° 33.55' N. lat. 123° 18.99' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(9) Gerstle Cove State Marine Conservation Area. This area lies within the Salt Point State Marine Conservation Area and is bounded by the mean high tide line and a straight line connecting the following points:

38° 33.93' N. lat. 123° 19.85' W. long.; and  
38° 33.93' N. lat. 123° 19.65' W. long.

(A) Take of all living marine resources is prohibited except the commercial take of finfish and algae except giant kelp and bull kelp.

(10) Fort Ross State Marine Conservation Area. This area is bounded by the mean high tide line, the 3-fathom depth contour, and the following points:

38° 30.71' N. lat. 123° 15.14' W. long.;

38° 30.57' N. lat. 123° 15.29' W. long.;

38° 30.35' N. lat. 123° 14.50' W. long.; and

38° 30.61' N. lat. 123° 14.16' W. long.

(A) No recreational take of living or non-living marine resources is allowed except: finfish, red abalone, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. Commercial take of species other than giant kelp and bull kelp is allowed.

(11) Sonoma Coast State Marine Conservation Area. This area is bounded by the mean high tide line, the 3-fathom depth contour, and the following points:

38° 22.55' N. lat. 123° 04.64' W. long.;

38° 22.54' N. lat. 123° 04.78' W. long.;

38° 19.50' N. lat. 123° 04.80' W. long.; and

38° 19.40' N. lat. 123° 04.70' W. long.

(A) No recreational take of living or non-living marine resources is allowed except: finfish, red abalone, chiones, clams, cockles, crabs, ghost shrimp, mussels, native oysters, rock scallops, sea urchins and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. Commercial take of species other than giant kelp and bull kelp is allowed.

(12) Bodega State Marine Reserve. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and the following points:

38° 19.38' N. lat. 123° 04.47' W. long.;

38° 19.57' N. lat. 123° 04.71' W. long.;

38° 18.56' N. lat. 123° 04.33' W. long.; and

38° 18.71' N. lat. 123° 04.15' W. long.

(A) In the Bodega State Marine Reserve licensees of the Regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, any invertebrate or specimen of marine plant life without a permit from the department.

(B) The director of the Bodega State Marine Reserve may authorize any person to enter the Reserve for the purpose of taking fish, invertebrates, or marine plants for scientific study and to take or possess fish, invertebrates, or marine plants for scientific study.

(C) Except as permitted by federal law or emergency caused by hazardous weather, it is unlawful to anchor or moor a vessel in the Bodega State Marine Reserve without authorization from the reserve director for the purpose of scientific study.

(13) Tomales Bay State Marine Park. This area is bounded by the mean high tide line of Tomales Bay within Tomales Bay Ecological Reserve southeastward of a line drawn between the following two points:

38° 05.73' N. lat. 122° 49.84' W. long.; and

38° 05.45' N. lat. 122° 50.57' W. long.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

(B) Only lightweight, hand-carried boats may be launched or operated within the park.

(C) Waterfowl may be taken in accordance with the general waterfowl regulations.

(14) Point Reyes Headlands State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore and the following points:

37° 59.73' N. lat. 123° 01.46' W. long.;

37° 59.73' N. lat. 123° 01.68' W. long.;

37° 59.40' N. lat. 122° 57.60' W. long.; and

37° 59.40' N. lat. 122° 57.81' W. long.

(A) Take of all living marine resources is prohibited except the commercial take of finfish and algae other than giant kelp and bull kelp.

(15) Estero de Limantour State Marine Conservation Area. This area consists of waters below the mean high tide line within Estero de Limantour eastward of a line drawn between the following two points:

38° 01.97' N. lat. 122° 55.97' W. long.; and

38° 02.33' N. lat. 122° 55.97' W. long.

(A) Take of all living marine resources is prohibited except the commercial take of finfish and algae other than giant kelp and bull kelp.

(16) Duxbury Reef State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore and the following points:

37° 55.52' N. lat. 122° 44.17' W. long.;

37° 55.42' N. lat. 122° 44.31' W. long.;

37° 53.65' N. lat. 122° 41.91' W. long.; and

37° 53.77' N. lat. 122° 42.02' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: Red abalone, dungeness crabs, rock crabs, rockfish (family Scorpaenidae), lingcod, cabezon, surfperch (family Embiotocidae), halibut, flounder, sole, turbot, salmon, kelp greenling, striped bass, steelhead, monkeyface-eel, wolf-eel, smelt, and silversides.

2. Commercial take of species other than giant kelp and bull kelp is allowed.

(17) Farallon Islands State Marine Conservation Area. This area is bounded by the mean high tide line and a distance of 1 nautical mile offshore Southeast Farallon and North Farallon Islands.

(A) Take other than the recreational take of marine aquatic plants is permitted except within the areas described in this section during the stated timeframes.

(B) Except as specifically prohibited under this section, boating, sport and commercial fishing, swimming, and skin and SCUBA diving are permitted within the ecological reserve, which extends one nautical mile from the coastline of Southeast

Farallon and North Farallon Islands.

(C) All vessels shall observe a five (5) nautical mile per hour speed limit within 1,000 feet of any shoreline in the reserve.

(D) All commercial abalone and sea urchin diving vessels operating in the reserve shall terminate their vessel engine exhaust system either through a muffler for dry exhaust systems, or below the vessel waterline for wet exhaust systems.

(E) All commercial abalone and sea urchin diving vessels equipped with an open, deck-mounted air compressor system, while operating in the reserve, shall have the air compressor's engine exhaust system terminate below the vessel waterline.

(F) From March 15 through August 15 of each year no vessel shall be operated or anchored less than 300 feet from the shoreline of any of the four islets comprising the North Farallons, including North Farallon, the Island of St. James and the two unnamed islets located between them, in the vicinity of 37° 46' N. lat. 123° 06' W. long., except in the area beginning at a line extending due west magnetic from the northernmost point of land on North Farallon and continuing clockwise to a line drawn due west magnetic from the southernmost point of land on North Farallon and in the area beginning at a line drawn due west magnetic from the northernmost point of land on the northernmost of the two unnamed islets extending clockwise to a line drawn due south magnetic from the southernmost point of land on that islet.

(G) From March 15 through August 15 of each year no vessel shall be operated or anchored less than 300 feet from the shoreline in the area beginning at the south end of Jordan Channel, westward around Indian Head, then generally northward past Great Arch Rock, then generally following the shoreline to a line extending due west from the northernmost point of land on Sugarloaf Island or in the area from the east end of Mussel Flat, generally southward to the northeasternmost point of land on Saddle Rock (Seal Rock) then generally southwest along the northerly shoreline of Saddle Rock to the southwesternmost point of land on Saddle Rock and continuing generally northward to the west end of Mussel Flat, both areas at Southeast Farallon Island.

(H) Nothing in this section shall prohibit emergency anchorage or vessel operation necessary to protect property or human life.

(18) Fagan Marsh State Marine Park. This area consists of waters below the mean high tide line within the Fagan Marsh Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

(B) Only lightweight, hand-carried boats may be launched or operated within the park.

(19) Peytonia Slough State Marine Park. This area consists of waters below the mean high tide line within the Peytonia Slough Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

(B) Only lightweight, hand-carried boats may be launched or operated within the park.

(20) Corte Madera Marsh State Marine Park. This area consists of waters below the mean high tide line within the Corte Madera Marsh Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from shore only.

(B) Only lightweight, hand-carried boats may be launched or operated within the park.

(C) Swimming, wading, and diving are prohibited within the park.

(21) Marin Islands State Marine Park. This area consists of waters below the mean high tide line within the Marin Islands Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from shore only.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(22) Albany Mudflats State Marine Park. This area consists of waters below the mean high tide line within the Albany Mudflats Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from shore only.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(23) Robert W. Crown State Marine Conservation Area. This area is bounded by the mean high tide line and a distance of 150 feet offshore between the following points:

37° 45.97' N. lat. 122° 16.84' W. long.; and

37° 45.95' N. lat. 122° 16.52' W. long.

(A) Take of all living marine resources is prohibited except:

1. Finfish may be taken recreationally by hook and line only.

2. Finfish and kelp may be taken commercially.

(24) Redwood Shores State Marine Park. This area consists of waters below the mean high tide line within the Redwood Shores Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants.

(B) Only lightweight, hand-carried boats may be launched or operated in within the park.

(25) Bair Island State Marine Park. This area consists of waters below the mean high tide line within the Bair Island Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than kelp from shore only.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall enter this park during the period February 15 through May 20.

(D) Waterfowl may be taken in accordance with the general waterfowl regulations.

(26) James V. Fitzgerald State Marine Park. This area is bounded by the mean high tide line, a distance of 1000 feet offshore and the following points:

37° 32.68' N. lat. 122° 31.00' W. long.;

37° 32.75' N. lat. 122° 31.18' W. long.;

37° 29.73' N. lat. 122° 30.13' W. long.; and

37° 29.74' N. lat. 122° 29.90' W. long.

(A) Take of all living marine resources is prohibited except the recreational take by hook and line or spear of: rockfish (family Scorpaenidae), lingcod, surfperch (family Embiotocidae), monkeyface eel, rock eel, white croaker, halibut, cabezon, kelp greenling, and smelt (Families Osmeridae and Atherinidae).

(27) Special Closure: Año Nuevo Invertebrate Area. This area is bounded by the mean high tide line and the following points within the Año Nuevo State Reserve:

37° 09.87' N. lat. 122° 21.76' W. long; and

37° 06.98' N. lat. 122° 18.37' W. long.

(A) No invertebrates shall be taken except:

1. Recreational take of invertebrates is allowed except between the high tide mark and 100 feet beyond the low tide mark between November 30 and April 30.

2. Commercial take of the following invertebrates is allowed: crabs, ghost shrimp, jackknife clams, sea urchins, squid, and worms, except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up remove or destroy any rocks or other substrate or surfaces to which organisms are attached.

(B) Public access restrictions are subject to change; contact the Año Nuevo State Reserve office prior to entry.

(28) Elkhorn Slough State Marine Reserve. This area is bounded by the mean high tide line and the 1.5-fathom depth contour within the Elkhorn Slough Ecological Reserve (National Estuarine Research Reserve).

(A) A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Elkhorn Slough Ecological Reserve except: users that possess a valid California sport fishing license, hunting license or trapping license; users that are under 16 years of age; or users that are part of an organized youth or school group and having free permits issued by the appropriate regional office. Refer to subsections 550(b)(4) and (5), Title 14, CCR, for regulations for fee requirements for wildlife areas.

(29) Hopkins State Marine Reserve. This area is bounded by the mean high tide line, the 10-fathom depth contour, and the following points:

36° 37.25' N. lat. 121° 54.50' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.;

36° 37.22' N. lat. 121° 53.85' W. long.; and

36° 37.10' N. lat. 121° 54.09' W. long.

(A) The director of the Hopkins State Marine Reserve, or any person to whom the director of the reserve has issued a permit, may take, for scientific purposes, any fish or specimen of marine plant life under the conditions prescribed by the department or the director of the reserve.

(30) Pacific Grove State Marine Conservation Area. This area is bounded by the mean high tide line, the 10-fathom depth contour, and the following points:

36° 37.09' N. lat. 121° 56.49' W. long.;

36° 37.34' N. lat. 121° 57.34' W. long.;

36° 37.63' N. lat. 121° 54.34' W. long.; and

36° 37.25' N. lat. 121° 54.50' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, and invertebrates other than mollusks or crustaceans.

2. Only the following species may be taken commercially by ring net, lampara net, or bait net: sardines, mackerel, anchovies, squid, and herring.

(31) Carmel Bay State Marine Conservation Area. This MPA is comprised of two areas. The first is bounded by the mean high tide line, and a straight line connecting the following points:

36° 33.64' N. lat. 121° 57.07' W. long.; and

36° 31.40' N. lat. 121° 56.17' W. long.

The second consists of waters shallower than 15 fathoms within an area bounded by straight lines connecting the following points in the order listed:

36° 33.65' N. lat. 121° 58.40' W. long.;

36° 33.65' N. lat. 121° 57.60' W. long.;

36° 33.10' N. lat. 121° 57.60' W. long.;

36° 33.10' N. lat. 121° 58.40' W. long.; and

36° 33.65' N. lat. 121° 58.40' W. long.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook-and-line or spear and the commercial take of kelp under the following conditions:

1. Within Stillwater Cove kelp may be removed at any time to allow the passage and mooring of boats between Pescadero Rocks and Arrowhead Point.

2. If, at any time, the director of the department finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy the supply of any food for fish or wildlife, the director shall serve on every person licensed to harvest kelp a 48-hour advance, written notice that the kelp bed, or part thereof, will be closed to the harvesting of kelp for a period not to exceed one year. After service of such a notice, the person upon whom notice is served may appeal to the commission for a hearing to reopen the kelp bed or part thereof.

3. Not more than five percent (5%) of the total weight of kelp harvested in any one day shall consist of bull kelp (*Nereocystis spp.*).

4. Any licensed person or company intending to harvest kelp within the conservation area shall give the department's marine region manager, or designee, at least 48 hours written or oral notice of the intention to harvest. At the option of the department, the licensed person or company shall allow an observer selected by the department to accompany the harvester during such harvest.

5. Not more than 50 percent (50%) of the kelp within Administrative Kelp Bed 219 shall be harvested in any four-month period.

(32) Point Lobos State Marine Reserve. This area is bounded by the mean high tide line and the following points:

36° 31.40' N. lat. 121° 56.17' W. long.;

36° 31.60' N. lat. 121° 56.27' W. long.;

36° 31.50' N. lat. 121° 57.63' W. long.;

36° 30.81' N. lat. 121° 57.99' W. long.;

36° 30.33' N. lat. 121° 56.69' W. long.; and

36° 30.33' N. lat. 121° 56.33' W. long.

(A) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

(33) Julia Pfeiffer Burns State Marine Conservation Area. This area is bounded by the mean high tide line and the following points:

36° 10.50' N. lat. 121° 41.90' W. long.;

36° 09.60' N. lat. 121° 42.40' W. long.;

36° 08.30' N. lat. 121° 40.80' W. long.;

36° 09.20' N. lat. 121° 40.25' W. long.; and

36° 09.25' N. lat. 121° 40.05' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, squid, kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(34) Big Creek State Marine Reserve. This area is bounded by the mean high tide line, the 50-fathom depth contour, and the following points:

36° 05.31' N. lat. 121° 37.10' W. long.;

36° 05.31' N. lat. 121° 38.24' W. long.;

36° 03.65' N. lat. 121° 37.04' W. long.; and

36° 03.65' N. lat. 121° 35.50' W. long.

(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Big Creek State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(D) Public Entry. Public entry into the Big Creek State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering



into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Big Creek State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

(F) Litter. No person shall deposit, drop, or scatter any debris on the Big Creek State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.

(G) Aircraft. No person shall operate any aircraft or hovercraft within the Big Creek State Marine Reserve, except as authorized pursuant to scientific research approved by the department.

(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Big Creek State Marine Reserve unless authorized by the department.

(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, to conduct marine-related research within the Big Creek State Marine Reserve.

(J) The Department shall only approve research within the Big Creek State Marine Reserve which is compatible with research underway within the reserve area prior to its establishment by the commission, such research compatibility to be determined by contacting the Reserve Manager for the Landels-Hill Big Creek Reserve prior to authorizing research within the reserve.

(35) Atascadero Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and the following points:

35° 23.64' N. lat. 120° 51.98' W. long.;  
35° 23.50' N. lat. 120° 55.98' W. long.;  
35° 22.10' N. lat. 120° 56.07' W. long.; and  
35° 22.19' N. lat. 120° 52.20' W. long.;

(A) Take of clams is prohibited. Take of other living marine resources is allowed.

(36) Morro Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and the following points:

35° 18.79' N. lat. 120° 52.30' W. long.;  
35° 19.96' N. lat. 120° 55.90' W. long.;  
35° 18.40' N. lat. 120° 56.35' W. long.; and  
35° 17.13' N. lat. 120° 53.06' W. long.

(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.

(37) Pismo State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and the following points:

35° 07.65' N. lat. 120° 38.28' W. long.;

35° 07.60' N. lat. 120° 38.51' W. long.;  
35° 07.28' N. lat. 120° 38.39' W. long.; and  
35° 07.33' N. lat. 120° 38.17' W. long.

(A) Take of all invertebrates and marine aquatic plants is prohibited except the commercial take of algae other than giant kelp and bull kelp.

(38) Pismo-Oceano Beach State Marine Conservation Area. This area is bounded by the mean high tide line, the three nautical mile offshore boundary, and the following points:

35° 01.81' N. lat. 120° 38.07' W. long.;  
35° 02.50' N. lat. 120° 41.69' W. long.;  
34° 59.35' N. lat. 120° 42.50' W. long.; and  
34° 58.48' N. lat. 120° 38.88' W. long.

(A) Take of clams is prohibited. Commercial take of giant kelp and bull kelp is prohibited. Take of other living marine resources is allowed.

(39) Vandenberg State Marine Reserve. This area is bounded by the mean high tide line, the 10-fathom depth contour, and the following points:

34° 36.27' N. lat. 120° 38.54' W. long.;  
34° 35.82' N. lat. 120° 39.22' W. long.;  
34° 33.03' N. lat. 120° 38.45' W. long.; and  
34° 33.36' N. lat. 120° 37.60' W. long.

(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Vandenberg State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(D) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Vandenberg State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense

such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

(F) Litter. No person shall deposit, drop, or scatter any debris on the Vandenberg State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.

(G) Aircraft. No person shall operate any aircraft or hovercraft within the Vandenberg State Marine Reserve, except as authorized pursuant to scientific research approved by the department.

(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Vandenberg State Marine Reserve unless authorized by the department.

(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations, including Vandenberg Air Force Base (VAFB), to conduct marine-related research within the Vandenberg State Marine Reserve.

(J) The department shall enter into a Memorandum of Understanding (MOU) with the Commander of Vandenberg Air Force Base for the management and administration of the Vandenberg State Marine Reserve. The MOU shall include all uses necessary and compatible with the Vandenberg Air Force Base's national defense mission.

(40) Refugio State Marine Conservation Area. This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 27.63' N. lat. 120° 05.32' W. long.;

34° 27.34' N. lat. 120° 05.75' W. long.;

34° 27.34' N. lat. 120° 02.75' W. long.; and

34° 27.76' N. lat. 120° 02.75' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, kelp, squid and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

(41) Goleta Slough State Marine Park. This area consists of waters below the mean high tide line within the Goleta Slough Ecological Reserve:

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from designated areas.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) No person shall enter this reserve and remain therein except on established trails, paths or other designated areas except department employees or designated employees of Santa Barbara Airport, City of Santa Barbara and Goleta Valley Mosquito Abatement District for the purposes of carrying out official duties.

(42) Richardson Rock (San Miguel Island) State Marine Reserve. This area is

bounded by the mean high tide line and straight lines connecting the following points in the order listed:

- 34° 08.40' N. lat. 120° 34.20' W. long.;
- 34° 08.40' N. lat. 120° 28.20' W. long.;
- 34° 03.60' N. lat. 120° 28.20' W. long.;
- 34° 03.60' N. lat. 120° 34.20' W. long.; and
- 34° 08.40' N. lat. 120° 34.20' W. long.

(43) San Miguel Island Special Closure. Special restrictions on boating and access apply to San Miguel Island as follows.

(A) Boating is permitted at San Miguel Island except west of a line drawn between Judith Rock (34° 01.50' N. lat. 120° 25.30' W. long.) and Castle Rock (34° 03.30' N. lat. 120° 26.30' W. long.) where boats are prohibited closer than 300 yards from shore.

1. Notwithstanding the 300-yard boating closure between Judith Rock and Castle Rock, the following shall apply:

a. Boats may approach San Miguel Island no nearer than 100 yards from shore during the period(s) from March 15 through April 30, and October 1 through December 15; and

b. Boats operated by commercial sea urchin divers may enter waters of the 300-yard area between the western boundary of the Judith Rock State Marine Reserve at 120° 26.60' W. long. and Castle Rock for the purpose of fishing sea urchins during the period(s) from March 15 through April 30, and October 1 through December 15.

2. The department may rescind permission for boats to enter waters within 300 yards between Judith Rock and Castle Rock upon finding that impairment to the island marine mammal resource is imminent. Immediately following such closure, the department will request the commission to hear, at its regularly scheduled meeting, presentation of documentation supporting the need for such closure.

(B) Other Requirements:

1. Boats traveling within 300 yards of the shoreline or anchorages shall operate with a minimum amount of noise and shall not exceed speeds of five miles per hour.

2. Except as permitted by federal law or emergency caused by hazardous weather, boats may be anchored overnight only at Tyler Bight and Cuyler Harbor.

3. Landing is allowed on San Miguel Island only at the designated landing beach in Cuyler Harbor.

4. No person shall have access to all other offshore rocks and islands at San Miguel Island.

(43)(44) Harris Point (San Miguel Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

- 34° 03.10' N. lat. 120° 23.30' W. long.;
- 34° 06.00' N. lat. 120° 23.30' W. long.;
- 34° 06.00' N. lat. 120° 18.40' W. long.; and
- 34° 01.80' N. lat. 120° 18.40' W. long.

(A) An exemption to the reserve, where commercial and recreational take of living marine resources is allowed, exists between the mean high tide line in Cuyler

Harbor and a straight line between the following points:

34° 03.50' N. lat. 120° 21.30' W. long.; and

34° 02.90' N. lat. 120° 20.20' W. long.

~~(B) Boating is permitted at San Miguel Island except west of a line drawn between Judith Rock and Castle Rock where boats are prohibited closer than 300 yards from shore. Except as permitted by federal law or emergency caused by hazardous weather, boats may be anchored overnight only at Tyler Bight and Cuyler Harbor. Boats traveling within 300 yards of shoreline or anchorages shall operate with a minimum amount of noise and shall not exceed speeds of five miles per hour. Landing is allowed on San Miguel Island by permit only at the designated landing beach in Cuyler Harbor. No person shall have access to all other offshore rocks and islands in the reserve.~~

~~1. Notwithstanding the 300-yard boating closure between Judith Rock and Castle Rock, the following shall apply:~~

~~a. Boats may approach San Miguel Island no nearer than 100 yards from shore during the period(s) from March 15 through April 30, and October 1 through December 15; and~~

~~b. Boats operated by commercial sea urchin boat operators who have been issued permits by the department to take sea urchins from the Point Bennett area of San Miguel Island may enter any waters of the 300-yard area between Judith Rock and Castle Rock for the purpose of fishing sea urchins during the period(s) March 15 through April 30, and October 1 through December 15.~~

~~2. The department may rescind permission for boats to enter waters within 300 yards between Judith Rock and Castle Rock upon finding that impairment to the island marine mammal resource is imminent. Immediately following such closure, the department will request the commission to hear, at its regularly scheduled meeting, presentation of documentation supporting the need for such closure.~~

~~(44)~~(45) Judith Rock (San Miguel Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

34° 01.80' N. lat. 120° 26.60' W. long.;

33° 58.50' N. lat. 120° 26.60' W. long.;

33° 58.50' N. lat. 120° 25.30' W. long.; and

34° 01.50' N. lat. 120° 25.30' W. long.

~~(45)~~(46) Carrington Point (Santa Rosa Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

34° 01.30' N. lat. 120° 05.20' W. long.

34° 04.00' N. lat. 120° 05.20' W. long.;

34° 04.00' N. lat. 120° 01.00' W. long.;

34° 00.50' N. lat. 120° 01.00' W. long.; and

34° 00.50' N. lat. 120° 02.80' W. long.

~~(46)~~(47) Skunk Point (Santa Rosa Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

33° 59.00' N. lat. 119° 58.80' W. long.;

33° 59.00' N. lat. 119° 58.00' W. long.;

33° 57.10' N. lat. 119° 58.00' W. long.; and

33° 57.10' N. lat. 119° 58.20' W. long.

~~(47)~~(48) South Point (Santa Rosa Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

33° 53.80' N. lat. 120° 06.50' W. long.;

33° 51.40' N. lat. 120° 06.50' W. long.;

33° 51.40' N. lat. 120° 10.00' W. long.; and

33° 55.00' N. lat. 120° 10.00' W. long.

~~(48)~~(49) Painted Cave (Santa Cruz Island) State Marine Conservation Area. This area is bounded by the mean high tide line, the one nautical mile offshore boundary, and the following points:

34° 04.50' N. lat. 119° 53.00' W. long.;

34° 05.20' N. lat. 119° 53.00' W. long.;

34° 05.00' N. lat. 119° 51.00' W. long.; and

34° 04.00' N. lat. 119° 51.00' W. long.-

(A) Take of all living marine resources is prohibited except for the recreational take of spiny lobster (*Panulirus interruptus*) and pelagic finfish [subsection 632(a)(2)].

~~(49)~~(50) Gull Island (Santa Cruz Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

33° 58.00' N. lat. 119° 51.00' W. long.;

33° 58.00' N. lat. 119° 53.00' W. long.;

33° 55.20' N. lat. 119° 53.00' W. long.;

33° 55.20' N. lat. 119° 48.00' W. long.; and

33° 57.70' N. lat. 119° 48.00' W. long.

~~(50)~~(51) Scorpion (Santa Cruz Island) State Marine Reserve. This area is bounded by the mean high tide line and the following points:

34° 02.94' N. lat. 119° 35.50' W. long.;

34° 06.20' N. lat. 119° 35.50' W. long.;

34° 06.20' N. lat. 119° 32.80' W. long.; and

34° 02.80' N. lat. 119° 32.80' W. long.-

(52) Anacapa Island Special Closure.

(A) No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands commonly referred to as Anacapa Island.

(B) A brown pelican fledgling area is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island between a line extending 000° True off Portuguese Rock (34° 00.91' N. lat. 119° 25.26' W. long.) to a line extending 000° True off the western edge of Frenchy's Cove (34° 00.4' N. lat. 119° 24.6' W. long.), a distance of approximately 4,000 feet. No person except department employees or employees of the National Park Service in the performance of their official duties shall enter this area during the period January 1 to October 31.

~~(54)~~(53) Anacapa Island State Marine Conservation Area. This area is bounded by the mean high tide line and the following points:

34° 00.80' N. lat. 119° 26.70' W. long.;

34° 04.00' N. lat. 119° 26.70' W. long.;

34° 04.00' N. lat. 119° 24.60' W. long.; and

34° 00.40' N. lat. 119° 24.60' W. long.-

(A) Take of all living marine resources is prohibited except for the recreational take of spiny lobster (*Panulirus interruptus*) and pelagic finfish [subsection 632(a)(2)] and the commercial take of spiny lobster.

~~(B) No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands commonly referred to as Anacapa Island.~~

~~(C) A brown pelican fledgling area is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island between a line extending 000° True off Portuguese Rock (34° 00.91' N. lat. 119° 25.26' W. long.) to a line extending 000° True off the western edge of Frenchy's Cove (34° 00.4' N. lat. 119° 24.6' W. long.), a distance of approximately 4,000 feet. No person except department employees or employees of the National Park Service in the performance of their official duties shall enter this area during the period January 1 to October 31.~~

~~(52)~~(54) Anacapa Island State Marine Reserve. This area is bounded by the mean high tide line and the following points:

34° 00.40' N. lat. 119° 24.60' W. long.;

34° 04.00' N. lat. 119° 24.60' W. long.;

34° 04.00' N. lat. 119° 21.40' W. long.; and

34° 01.00' N. lat. 119° 21.40' W. long.-

~~(53)~~(55) Big Sycamore Canyon State Marine Reserve. This area is bounded by the 5-fathom depth contour, the 20-fathom depth contour, and the following points:

34° 04.79' N. lat. 119° 02.03' W. long.;

34° 03.92' N. lat. 119° 02.70' W. long.;

34° 02.97' N. lat. 119° 00.00' W. long.; and

34° 03.86' N. lat. 119° 00.00' W. long.

(A) Swimming. No person shall swim, wade, dive, or use any diving equipment within the Big Sycamore Canyon State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(B) Boating. Except as allowed pursuant to Federal law, no person shall launch or operate a boat or other floating device within the Big Sycamore Canyon State Marine Reserve except to pass through the area during the normal course of vessel transit along the coast, to avoid inclement weather, or pursuant to scientific research approved by the department.

(C) Firearms. No person shall possess, fire, or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within, or into the Big Sycamore Canyon State Marine Reserve except as authorized pursuant to scientific research approved by the department.

(D) Public Entry. Public entry into the Big Sycamore Canyon State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, or

institution or agency entering into a memorandum of understanding (MOU) with the department, may enter an area which is closed to public entry.

(E) Pesticides, Herbicides, and Other Regulated Chemicals. The use of pesticides, herbicides, and other regulated chemicals is prohibited in the Big Sycamore Canyon State Marine Reserve except as authorized pursuant to scientific research approved by the department. Where such chemicals are intended to be used as a part of any research program, any necessary authorization and/or permits required to dispense such chemicals into state waters or tide and submerged lands shall be obtained prior to final approval of the research by the department.

(F) Litter. No person shall deposit, drop, or scatter any debris on the Big Sycamore Canyon State Marine Reserve. Any refuse resulting from a person's use of an area must be removed from that area by such person.

(G) Aircraft. No person shall operate any aircraft or hovercraft within the Big Sycamore Canyon State Marine Reserve, except as authorized pursuant to scientific research approved by the department.

(H) Pets. Pets, including but not limited to, dogs and cats, are prohibited from entering the Big Sycamore Canyon State Marine Reserve unless authorized by the department.

(I) Memorandum of Understanding (MOU). The department may enter into MOU's with colleges, universities, and other bonafide research organizations to conduct marine-related research within the Big Sycamore Canyon State Marine Reserve.

(J) The department shall notify the California Department of Parks and Recreation of scientific research approved within the Big Sycamore Canyon State Marine Reserve.

~~(54)~~(56) Santa Barbara Island State Marine Reserve. This area is bounded by the mean high tide line, the three nautical mile offshore boundary and the following points:

33° 28.50' N. lat. 119° 01.70' W. long.;  
33° 28.50' N. lat. 118° 58.20' W. long.;  
33° 24.90' N. lat. 119° 02.20' W. long.; and  
33° 27.90' N. lat. 119° 02.20' W. long.

~~(55)~~(57) Abalone Cove State Marine Park. This area is bounded by the mean high tide line and the following points:

33° 44.53' N. lat. 118° 22.83' W. long.;  
33° 44.47' N. lat. 118° 22.83' W. long.;  
33° 44.14' N. lat. 118° 22.47' W. long.;  
33° 44.14' N. lat. 118° 22.12' W. long.; and  
33° 44.19' N. lat. 118° 22.12' W. long.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line or spear.

~~(56)~~(58) Point Fermin State Marine Park. This area is bounded by the mean high tide line, a distance of 600 feet offshore, and the following points:

33° 42.31' N. lat. 118° 17.57' W. long.;  
33° 42.21' N. lat. 118° 17.57' W. long.;



33° 42.47' N. lat. 118° 17.00' W. long.; and

33° 42.47' N. lat. 118° 17.13' W. long.

(A) Take of all living marine resources is prohibited except the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

~~(57)~~(59) Bolsa Chica State Marine Park. This area consists of waters below the mean high tide line within the Bolsa Chica Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than marine aquatic plants from designated areas around outer Bolsa Bay.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) No person, except State and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department or employees of Signal Corporation and its invitees for the purpose of carrying out oil and gas operations, shall enter this park and remain therein except on established trails, paths, or other designated areas.

(D) No person shall enter this park between the hours of 8:00 p.m. and 6:00 a.m.

(E) The County of Orange, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(58)~~(60) Special Closure: Arrow Point to Lion Head Point (Catalina Island) Invertebrate Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore and the following points:

33° 28.64' N. lat. 118° 32.33' W. long.;

33° 28.82' N. lat. 118° 32.33' W. long.;

33° 27.25' N. lat. 118° 29.90' W. long.; and

33° 27.18' N. lat. 118° 30.07' W. long.

(A) No recreational take of invertebrates is allowed.

~~(59)~~(61) Catalina Marine Science Center State Marine Reserve. This area is bounded by the mean high tide line and the following points:

33° 26.65' N. lat. 118° 29.33' W. long.;

33° 26.83' N. lat. 118° 29.13' W. long.;

33° 26.96' N. lat. 118° 28.56' W. long.;

33° 26.92' N. lat. 118° 28.53' W. long.; and

33° 26.87' N. lat. 118° 28.62' W. long.

(A) Except as pursuant to Federal law, emergency caused by hazardous weather, or as provided in this section, it is unlawful to anchor or moor a vessel in the Catalina Marine Science Center State Marine Reserve.

(B) The director of the Catalina Marine Science Center Marine State Marine

Reserve, or any person that the director of the reserve has authorized may anchor or moor a vessel or take, for scientific purposes, any fish or specimen of marine life under the conditions prescribed by the department or the reserve director.

~~(60)~~(62) Farnsworth Bank State Marine Conservation Area. This area consists of waters shallower than 250 feet within the area bounded by straight lines connecting the following points in the order listed:

- 33° 21.00' N. lat. 118° 32.00' W. long.;
- 33° 21.00' N. lat. 118° 30.50' W. long.;
- 33° 20.00' N. lat. 118° 30.50' W. long.;
- 33° 20.00' N. lat. 118° 32.00' W. long.; and
- 33° 21.00' N. lat. 118° 32.00' W. long.

(A) Take of purple coral (*Stylaster californicus*) is prohibited. Take of other living marine resources is allowed.

~~(61)~~(63) Lover's Cove State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 100 yards offshore and the following points:

- 33° 20.64' N. lat. 118° 19.25' W. long.;
- 33° 20.67' N. lat. 118° 19.20' W. long.;
- 33° 20.59' N. lat. 118° 18.94' W. long.; and
- 33° 20.56' N. lat. 118° 18.98' W. long.

(A) Take of all living marine resources is prohibited except the commercial take of finfish and kelp.

~~(62)~~(64) Upper Newport Bay State Marine Park. This area consists of waters below the mean high tide line within the Upper Newport Bay Ecological Reserve bounded by; the southern end of Shellmaker Island (33° 37.20' N. lat. 117° 53.51' W. long.) in the south, Back Bay Drive, East Bluff Drive, and Jamboree road in the east, the 10-foot elevation in the north and west, and a line connecting North Star Beach (33° 37.38' N. lat. 117° 53.60' W. long.) to the southern end of Shellmaker Island.

(A) Take of all living marine resources is prohibited except the recreational hook and line take of species other than kelp.

(B) Swimming is permitted only in the area between North Star Beach and mid-channel.

(C) Boats are limited to speeds less than five miles per hour.

(D) Shoreline access is limited to established trails, paths, or other designated areas.

(E) A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Upper Newport Bay Ecological Reserve except: users that possess a valid California sport fishing license, hunting license or trapping license; users that are under 16 years of age; or users that are part of an organized youth or school group and having free permits issued by the appropriate regional office. Refer to subsections 550(b)(4) and (5), Title 14, CCR, for regulations for fee requirements for wildlife areas.

~~(63)~~(65) Robert E. Badham State Marine ~~Park~~Conservation Area. This area is bounded by the mean high tide line, a distance of 200 feet offshore and the following points:

- 33° 35.42' N. lat. 117° 52.22' W. long.;

33° 35.40' N. lat. 117° 52.24' W. long.;  
33° 35.03' N. lat. 117° 51.78' W. long.; and  
33° 35.05' N. lat. 117° 51.74' W. long.

(A) Take of all living marine resources is prohibited except: ~~the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.~~

(1) Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(2) Only spiny lobster may be taken commercially.

~~(64)~~(66) Crystal Cove State Marine Conservation Area. This area is bounded by the mean high tide line, the 20-fathom depth contour, and the following points:

33° 35.05' N. lat. 117° 51.74' W. long.;  
33° 34.76' N. lat. 117° 52.32' W. long.;  
33° 33.27' N. lat. 117° 49.62' W. long.; and  
33° 33.40' N. lat. 117° 49.18' W. long.

(A) Take of all living marine resources is prohibited except:

1. Only the following species may be taken recreationally: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels.

2. Only the following species may be taken commercially: finfish, crabs, ghost shrimp, jackknife clams, sea urchins, algae except giant kelp and bull kelp and worms except that no worms may be taken in any mussel bed, nor may any person pick up, remove, detach from the substrate any other organisms, or break up, move or destroy any rocks or other substrate or surfaces to which organisms are attached.

~~(65)~~(67) Irvine Coast State Marine ~~Park~~Conservation Area. This area is bounded by the mean high tide line, a distance of 600 feet offshore, and the following points:

33° 35.05' N. lat. 117° 51.74' W. long.;  
33° 35.00' N. lat. 117° 51.84' W. long.;  
33° 33.37' N. lat. 117° 49.28' W. long; and  
33° 33.40' N. lat. 117° 49.18' W. long.

(A) Take of all living marine resources is prohibited except: ~~the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.~~

(1) Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(2) Only spiny lobster may be taken commercially.

~~(66)~~(68) Laguna Beach State Marine Park ~~Conservation Area~~. This area is bounded by the mean high tide line, a distance of 600 feet offshore, and the following points:

33° 32.86' N. lat. 117° 48.35' W. long.;

33° 32.78' N. lat. 117° 48.45' W. long.;

33° 30.37' N. lat. 117° 45.17' W. long.; and

33° 30.43' N. lat. 117° 45.06' W. long.

(A) Take of all living marine resources is prohibited except: ~~the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.~~

(1) Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(2) Only spiny lobster may be taken commercially.

~~(67)~~(69) Heisler Park State Marine Reserve. This area is bounded by the mean high tide line and the following points:

33° 32.66' N. lat. 117° 47.61' W. long.;

33° 32.53' N. lat. 117° 47.66' W. long.;

33° 32.43' N. lat. 117° 47.26' W. long.; and

33° 32.56' N. lat. 117° 47.30' W. long.

(A) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

~~(68)~~(70) South Laguna Beach State Marine Park ~~Conservation Area~~. This area is bounded by the mean high tide line, the 20-foot depth contour, and the following points:

33° 30.43' N. lat. 117° 45.06' W. long.;

33° 30.37' N. lat. 117° 45.17' W. long.;

33° 30.04' N. lat. 117° 44.91' W. long.; and

33° 30.15' N. lat. 117° 44.81' W. long.

(A) Take of all living marine resources is prohibited except: ~~the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker,~~

~~queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.~~

(1) Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(2) Only spiny lobster may be taken commercially.

~~(69)~~(71) Niguel State Marine Park Conservation Area. This area is bounded by the mean high tide line, a distance of 1200 feet offshore, and the following points:

33° 29.15' N. lat. 117° 44.05' W. long.;

33° 29.15' N. lat. 117° 44.30' W. long.;

33° 27.74' N. lat. 117° 43.18' W. long.; and

33° 27.74' N. lat. 117° 42.95' W. long.

~~(A) Take of all living marine resources is prohibited except: the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.~~

(1) Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(2) Only spiny lobster may be taken commercially.

~~(70)~~(72) Dana Point State Marine Park. This area is bounded by the mean high tide line, a distance of 1200 feet offshore, and the following points:

33° 27.74' N. lat. 117° 42.95' W. long.;

33° 27.74' N. lat. 117° 43.18' W. long.;

33° 27.47' N. lat. 117° 42.28' W. long.; and

33° 27.63' N. lat. 117° 42.45' W. long.

(A) Take of all living marine resources is prohibited except the recreational take of the following species below the mean lower low-water mark: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(B) Except as expressly provided in this section, it is unlawful to enter the intertidal zone in the Dana Point State Marine Park for the purpose of taking or

possessing, or to take or possess, any species of fish, plant, or invertebrate, or part thereof; to use or have in possession any contrivance designed to be used for catching fish; to disturb any native plant, fish, wildlife, aquatic organism; or to take or disturb any natural geological feature. This subdivision does not prohibit persons from entering the intertidal zone for the purpose of entertainment, recreation, and education while having a minimum impact on the intertidal environment and the living organisms therein. For this purpose, minimum impact includes foot traffic; general observation of organisms in their environment with immediate replacement of any unattached organisms to their natural location after temporary lifting for examination; and photography. Minimum impact does not include removal of attached organisms from their environment; gathering of fishing bait; littering, collecting rocks and shells; or turning rocks or other acts destructive to the environment.

(C) The department director may appoint a director of the Dana Point State Marine Park.

1. The director of the Dana Point State Marine Park may issue a special collecting permit authorizing any person to enter the park for the purposes of scientific collecting under the conditions of a scientific collector's permit issued by the department.

(D) Notwithstanding subsections 632(b)(67)(A) or 632(b)(67)(B), the director of the Dana Point State Marine Park, or any person who has a scientific collector's permit from the department and to whom the director of the Dana Point State Marine Park has issued a special collecting permit may take, for scientific purposes, any fish or specimen of marine plant life under the conditions prescribed by the department.

(E) This section does not prohibit the entry of state and local law enforcement officers, fire suppression agencies, and employees of the department in the performance of their official duties. This section does not prohibit or restrict navigation in the Dana Point State Marine Park pursuant to federal law.

~~(74)~~(73) Doheny Beach State Marine Park Conservation Area. This area is bounded by the mean high tide line, a distance of 600 feet offshore, and the following points:

33° 27.70' N. lat. 117° 41.38' W. long.;

33° 27.60' N. lat. 117° 41.38' W. long.;

33° 27.27' N. lat. 117° 40.28' W. long.; and

33° 27.35' N. lat. 117° 40.21' W. long.

(A) Take of all living marine resources is prohibited except: ~~the recreational take of: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith, barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.~~

(1) Only the following species may be taken recreationally: lobster, rockfish (family Scorpaenidae), greenling, lingcod, cabezon, yellowtail, mackerel, bluefin tuna, kelp bass, spotted sand bass, barred sand bass, sargo, croaker, queenfish, corbina, white seabass, opaleye, halfmoon, surfperch (family Embiotocidae), blacksmith,

barracuda, sheephead, bonito, California halibut, sole, turbot, and sanddab. Finfish shall be taken only by hook and line or by spearfishing gear.

(2) Only spiny lobster may be taken commercially.

~~(72)~~(74) Doheny State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1,500 feet offshore, and the following points:

33° 27.70' N. lat. 117° 41.38' W. long.;

33° 27.45' N. lat. 117° 41.39' W. long.;

33° 27.15' N. lat. 117° 40.38' W. long.; and

33° 27.35' N. lat. 117° 40.21' W. long.

(A) No recreational take of living or non-living marine resources is allowed except: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. Commercial take is allowed.

~~(73)~~(75) Buena Vista Lagoon State Marine Park. This area consists of waters below the mean high tide line within the Buena Vista Lagoon Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational take of species other than kelp by hook and line in designated areas and at designated times only.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) The County of San Diego, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(74)~~(76) Agua Hedionda Lagoon State Marine Reserve. This area consists of waters below the mean high tide line within the Agua Hedionda Lagoon Ecological Reserve.

(A) The department, and the County of San Diego, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

~~(75)~~(77) Batiquitos Lagoon State Marine Park. This area consists of waters below the mean high tide line within the Batiquitos Lagoon Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line from shore.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) San Diego County, after consultation with the department, may carry out management activities necessary for fish and wildlife management, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and associated use of equipment.

~~(76)~~(78) Encinitas State Marine Conservation Area. This area is bounded by the mean high tide line, as distance of 600 feet offshore, and the following points:

33° 02.74' N. lat. 117° 17.88' W. long.;  
33° 02.70' N. lat. 117° 18.00' W. long.;  
33° 01.98' N. lat. 117° 17.64' W. long.; and  
33° 02.04' N. lat. 117° 17.54' W. long.

(A) Take of all living marine resources is prohibited except the commercial and recreational take of finfish.

~~(77)~~(79) Cardiff-San Elijo State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 3000 feet offshore, and the following points:

33° 02.04' N. lat. 117° 17.54' W. long.;  
33° 01.75' N. lat. 117° 18.03' W. long.;  
33° 00.06' N. lat. 117° 17.27' W. long.; and  
33° 00.29' N. lat. 117° 16.73' W. long.

(A) No recreational take of living or non-living marine resources is allowed except: finfish, chiones, clams, cockles, rock scallops, native oysters, crabs, lobsters, ghost shrimp, sea urchins, mussels and marine worms except that no worms may be taken in any mussel bed unless taken incidentally to the take of mussels. Commercial take is allowed.

~~(78)~~(80) San Elijo Lagoon State Marine Park. This area consists of waters below the mean high tide line within the San Elijo Lagoon Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line from shore.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) San Diego County, after consultation with the department, may carry out management activities for fish and wildlife management, flood control, vector control and regional park recreational activities. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control, minor ditching and use of associated equipment.

(D) Collections may be made by the department for purposes of fish and wildlife management or by San Diego County for the purpose of water quality testing and vector control.

~~(79)~~(81) San Dieguito Lagoon State Marine Park. This area consists of waters below the mean high tide line within the San Dieguito Lagoon Ecological Reserve.

(A) Take of all living marine resources is prohibited except the recreational take of finfish by hook and line from shore and the Grand Avenue bridge.

(B) Boating, swimming, wading, and diving are prohibited within the park.

(C) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall be permitted on the California least tern nesting island.

(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall enter this park between 8:00 p.m. and 5:00 a.m.

(E) The County of San Diego, after consultation with the department, may carry



out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.

(F) Collections of fish, wildlife, water and soil may be made by the department for the purposes of fish and wildlife management or by San Diego County for the purposes of water quality testing and vector control.

~~(80)~~(82) San Diego-Scripps State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 1000 feet offshore, and the following points:

32° 52.28' N. lat. 117° 15.16' W. long.;  
32° 52.32' N. lat. 117° 15.34' W. long.;  
32° 51.86' N. lat. 117° 15.48' W. long.; and  
32° 51.86' N. lat. 117° 15.28' W. long.;

(A) Take of all living marine resources is prohibited except the commercial and recreational take of finfish.

(B) Licensees of the Regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, any invertebrate or specimen of marine plant life without a permit from the department.

~~(81)~~(83) La Jolla State Marine Conservation Area. This area is bounded by the mean high tide line and the following points:

32° 51.86' N. lat. 117° 15.28' W. long.;  
32° 51.86' N. lat. 117° 16.25' W. long.;  
32° 51.22' N. lat. 117° 16.17' W. long.; and  
32° 51.07' N. lat. 117° 16.40' W. long.

(A) Take of all living marine resources is prohibited except commercial bait fishing for squid by use of hand-held scoop net west of a line drawn due north from Goldfish Point.

(B) Boats may be launched and retrieved only in designated areas and may be anchored within the conservation area only during daylight hours.

~~(82)~~(84) Mia J. Tegner State Marine Conservation Area. This area is bounded by the mean high tide line, a distance of 150 feet offshore, and the following points:

32° 40.27' N. lat. 117° 14.73' W. long.;  
32° 40.27' N. lat. 117° 14.76' W. long.;  
32° 39.91' N. lat. 117° 14.42' W. long.; and  
32° 39.94' N. lat. 117° 14.44' W. long.

(A) Take of all living marine resources is prohibited except the recreational take of finfish and the commercial take of finfish and marine aquatic plants.

NOTE:

Authority cited: Sections 200, 202, 203.1, 205(c), 219, 220, 1590, 1591, 2860, 2861(c), 6750 and 10502.6, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code. Reference: Sections 200, 202, 203.1, 205(c), 219, 220, 1580, 1583, 5521, 6653, 8420(e) and 8500, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.